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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/899,555  | 07/05/2001  | Sadhana S. Rau       | 16159.010001; P5909 | 1645             |
| 32615   | 7590        | 05/25/2006           | EXAMINER            |                  |
| OSHA LIANG L.L.P./SUN<br>1221 MCKINNEY, SUITE 2800<br>HOUSTON, TX 77010 |             |                      | REFAI, RAMSEY       |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2152                |                  |

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |              |
|------------------------------|-----------------|--------------|
| <b>Office Action Summary</b> | Application No. | Applicant(s) |
|                              | 09/899,555      | RAU ET AL.   |
|                              | Examiner        | Art Unit     |
|                              | Ramsey Refai    | 2152         |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 02 March 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6,8,12-16 and 37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6,8,12-16 and 37 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

Responsive to Amendment received on March 2, 2006. Claims 1, 8, and 37 have been amended. Claims 7 and 9-11 have been canceled. Claims 1-6, 8, 12-16, and 37 are presented for further examination.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claims 1-6, 8, 12-16, and 37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 37 recite the limitation “updating the local workspace with *the files* in the temporary local workspace” which is indefinite because it is not clear what files are in the temporary local workspace. It is also not clear what the purpose of the temporary local workspace since the files are sent *to the client* and not to the temporary local workspace. Also, it is not clear where the first set of file names and the second set of filenames are placed once they are obtained from the local workspace and the remote workspace respectively.

Claims 2-6, 8, 12-16 depend on claim 1; therefore these claims are rejected under the same rationale.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an

application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 5, 6, 8, 12, 14-16, and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Lara et al (U.S. Patent No. 6,976,093).

5. As per claims 1 and 37, Lara et al teach a method and a computer readable medium having stored thereon a program, respectively, for propagating changes from a local workspace that is accessible by a client to a remote workspace that is accessible by a server, comprising:

creating a temporary local workspace on the client; obtaining a first set of filenames from the local workspace; obtaining a second set of filenames from the remote workspace; for each filename in the first set of filenames: placing the filename on a list, if a checksum associated with the filename differs from checksum of a corresponding filename in the second set of filenames (**column 9, line 50-column 10, line 31**): sending files corresponding to the filenames of the list to the client; storing the files in the temporary local workspace; and updating the local workspace with the files in the temporary local workspace (see **column 2, line 25-column 3, line 15, Fig. 4, column 12, lines 5-35**).

6. As per claim 5, Lara et al teach wherein the client communicates with the server using HTTP protocol (**column 15, lines 13-15**).

7. As per claim 8, Lara et al teach wherein obtaining the first set of files comprises sending a request to the client for the filenames and the corresponding checksums in the local workspace (**column 2, lines 38-65**).

8. As per claim 12, Lara et al teach checking for physical existence of the local workspace and requesting the server to check for physical existence of remote workspace prior to requesting the client to create the temporary local workspace (**column 9, line 50-column 10, line 31, column 2, line 25-column 3, line 15**).

9. As per claim 14, Lara et al teach requesting the client to update history of transactions in the local workspace after the local workspace is updated (**column 9, lines 23-34**).

10. As per claim 15, Lara et al teach updating history of transactions in the remote workspace after the local workspace is updated (**column 9, lines 23-34**).

11. As per claim 16, Lara et al teach deleting the temporary local workspace after the local workspace is updated (**column 11, line 54-column 12, line 20**).

*Claim Rejections - 35 USC § 103*

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 2-4, 6, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lara et al (U.S. Patent No. 6,976,093 in view of Bayeh et al (U.S. Patent No. 6,098,093).

14. As per claim 2, Lara et al fail to teach at least one servlet parses requests sent to the server and delegates processing of the requests to an appropriate server object in the server.

15. However, Bayeh et al teach the use of servlets and servlet engines to facilitate client requests (**Figure 3 and column 8, line 42 – column 9, line 19**). It would have been obvious to one of the ordinary skill in the art to combine the teachings of Lara et al and Bayeh et al because Bayeh et al's use of servlets in Lara et al's system would reduce system overhead and execute quickly because servlets are automatically threaded and are highly responsive.

16. As per claim 3, Lara et al teach wherein the remote workspace is stored in a repository (**Fig. 2**).

17. As per claim 4, Lara et al teach wherein a server object implements an interface having a set of methods that can be invoked to access the repository and the remote workspace (**column 7, lines 7-35**).

18. As per claim 6, Lara et al fail to teach the client communicates with the server using HTTPS protocol. However, Bayeh et al teach the use of HTTPS protocols (**column 1, lines 20-30**). It would have been obvious to one of the ordinary skill in the art to combine the teachings of Lara et al and Bayeh

et al because Bayeh et al's use of HTTPS protocol in Lara et al's system would allow for a client to safely communicate to a server via the Internet to exchange messages.

19. As per claim 13, Lara et al fail to teach a server locking method.
20. However, Bayeh et al teach a server with a locking technique to prevent servlets from overwriting each other (**abstract and column 12, lines 29 – 58**). It would have been obvious to one of the ordinary skill in the art to combine the teachings of Lara et al and Bayeh et al because Bayeh et al's use of a locking technique in Lara et al's system would prevent other users access to remote workspace while the user it obtaining a file or updating a file from the remote workspace.

*Response to Arguments*

21. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey Refai  
Examiner  
Art Unit 2152  
May 18, 2006



  
BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER